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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re:	: Chapter 11
	:
URBAN COMMONS 2 WEST LLC, ET AL.,	: Lead Case No. 22-11509 (PB)
	:
Debtor.	: (Jointly administered)
	:
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**NOTICE AND STATEMENT OF CURE COSTS**

PLEASE TAKE NOTICE that pursuant to the Order (I) Approving Bid Procedures And (II) Scheduling Auction And Sale Hearing And Granting Related Relief (Docket 175), the Hotel and Gaming Trades Council, AFL-CIO (the 'Union') hereby states the following cure cost amounts for assumption of its collective bargaining agreement covering employees of the Debtors, the Industry Wide Collective Bargaining Agreement between the Union and the Hotel Association of New York City, Inc. (the "IWA").

1. This statement of cure amount is consistent with and adopts as if stated herein the Proof of Claim filed by the Union at claim 5-1 in these cases, with an attachment and Exhibits A and B (the “Union Proof of Claim”). Consistent with the filed Union proof of Claim, the Union in good faith estimates a claim for accrued and unpaid paid time off -- vacation, sick, and personal time (“PTO”) to the employees represented by the Union at not less than \$1,432,308.22, as set forth per individual in Exhibit A to the Union Proof of Claim. The Union also has a contingent unliquidated claim for the Debtor’s violation of Article 59 of the IWA. *See* OIC Award No. 2020-31 (March 10, 2021) attached to the Union Proof of Claim as Exhibit B, *confirmed, Urban Commerce 2 LLC v. N.Y. Hotel & Motel Trades Council, AFL-CIO*, No. 21-cv-4842, 2022 WL 826982 (S.D.N.Y. Mar. 18, 2022).

2. In addition, the Union states as an additional cure amount as follows. The Debtors owe contributions under the IWA to the NYHTC and HANYC Inc. Employee Benefit Funds (the “Funds”) pursuant to Arbitration Award No. 2022-04F dated October 28, 2022, totaling not less than \$1,835,666.12 as set forth in Exhibit A to the Funds Proof of Claim as defined herein. This portion of the Statement of Cure Costs for these contributions is consistent with and adopts as if stated herein the portion of the Proof of Claim filed by the Funds (the ‘Funds Proof of Claim’) with relation to Contributions, as Claim 6-1 in these cases, and as Exhibit A to the Funds Proof of Claim.

3. This Statement is made in this case as well as Cases 22-11509, 11510, 11511, 11512, and 11513 for one single recovery.

4. This Statement of Cure Amount is without prejudice to: (a) the obligations of any bidder under 29 U.S.C. § 1384, Section 2404 of ERISA, in regard to a Sale of Assets, and

(b) the debtor's obligation to the Funds for withdrawal liability under 29 U.S.C. §1381, both of which must be taken into consideration by any successful bidder.

Dated: New York, New York  
March 21, 2023

Respectfully submitted,

/s/ Richard M. Seltzer

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